CHARLES V. HAMILTON

MINORITY POLITICS IN BLACK BELT ALABAMA

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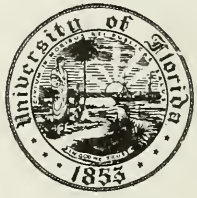

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CASES IN PRACTICAL POLITICS

MINORITY POLITICS IN BLACK BELT ALABAMA

Charles V. Hamilton

CASE

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MINORITY POLITICS IN BLACK BELT ALABAMA

Charles V. Hamilton

A COUNTY IN FLUX

In 1960, there were nine Negroes for every white person in Macon County, Alabama. No Negro had ever held public office in the county; and, prior to 1954, no Negro had ever filed for such an office. For decades, Negroes had accepted political dominance by the whites. The smooth-working accommodation system conformed to the pattern many felt had been advocated by Booker T. Washington, the Negro founder of Tuskegee Institute. Whether this is an accurate representation of Washington's position is not important. The central point is that many—both Negroes and whites—believed it to be.

At exactly what point the opposition to the status quo began to form is difficult to say, but several events took place in the 1930s and 1940s that served as a forecast of things to come. One active Negro leader, who had been on the faculty of Tuskegee Institute for over 25 years, stated: "Booker T. Washington came to teach the Negroes how to make a living. I came to teach them how to live." This idea of "how to live" meant a definite change in the status quo; it meant full participation in the political and civic affairs of the community in addition to obtaining a formal education, buying a home and painting the fence. One white citizen stated that the real trouble started in 1944 when the college discontinued the practice of reserving special seats in the college chapel for the white townspeople.

During the early 1940s, getting registered was not easy although no great number of Negroes attempted to do so. One Negro theorized that the white officials did not want to give the Negroes the impression that registering to vote was a simple matter, because "it might give the Negroes funny ideas." The difficulties encountered gave some Negroes ideas of pursuing legal action. In 1945, William P. Mitchell, a Negro employee of the Veterans Administration Hospital, brought a suit in the federal district court alleging that he had been denied the right to register because of his race in violation of the Fourteenth Amendment to the United States Constitution. Mitchell lost the case on the lower level, but the appellate court reversed the decision. The case was finally dismissed in November, 1947, after a photostatic copy of Mitchell's registration certificate was "found" and presented to the court. The certificate

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was dated January 20, 1943, two and one-half years before the initial filing of the suit and after the case had been in the courts for over two years.

Throughout the 1940s and 1950s, Negroes found their way to the county courthouse to make application for voter certificates. Slowly the rolls increased. In 1940, there were approximately 29 qualified Negro voters, 115 in 1946, 514 in 1950, and 855 in 1954. A clear trend had been established that could result in political catastrophe for the white political officials if allowed to continue. Notwithstanding that the board of registrars became inoperative on January 16, 1956, and did not function again publicly until June 3, 1957, the number of registered Negroes had increased to 1,110 by January 1, 1959.

Many could easily see that political control of the city and the county was at stake. Approximately 1,800 Negroes were employed either at the federal Veterans Administration Hospital or at the private college, Tuskegee Institute. Their jobs required educational attainments above the average educational level of most Alabamians—white or Negro. There was erupting in some areas in the South a social revolution caused by the emergence of what some observers referred to as a "new Negro" who appeared to be the product of a combination of four factors: numerical strength, economic independence, educational ability, and a new sense of civic awareness and desire for civic participation.

Quite often the Negro leaders of the Tuskegee Civic Association (TCA), the local Negro political interest group, stated that they had no intention of establishing a "black oligarchy" any more than they intended to continue to live under a white one. This did nothing to calm the fears of those in power. The local whites were faced with the possibility of losing political power to a minority race that found itself in the unusual position of being, in fact, a majority. The whites would not relinquish their power positions, and the Negroes were giving increased evidence that they intended to share at least some of that power. The issue was clearly drawn.

Deprived of the ability to use the weapons of fear and economic reprisal, the white political officials in Macon County have relied on the delaying tactics of the county board of registrars or the complete inoperation of the board for long periods at a time to prevent the number of Negro voters from increasing. From January, 1959, to May, 1960, the county was without a board of registrars, the result of simultaneous resignations of the board members on December 10, 1958. For nearly eighteen months, no citizens could become registered voters.

THE REGISTRARS RESIGN

The resignation of two members of the Macon County Board of Registrars on December 10, 1958, (the third member had died in November, 1958), followed on the heels of hearings held in Montgomery, Alabama, on December 8 and 9 by the United States Commission on Civil Rights. The Commission had subpoenaed 27 Negroes from Macon County and three Macon County officials: Probate Judge William Varner and Registrars Grady P. Rogers and E. P. Livingston.

The Negroes testified on December 8 that they had made unsuccessful

attempts to register. All the Negroes concluded their testimony by stating—upon questioning by the Commission—that they felt they were being denied the right to register because they were Negroes. The Commission called Judge Varner to testify. John Patterson, governor-elect, then Alabama attorney general, served as counsel for the local officials. Judge Varner had received a subpoena from the Commission to appear and to bring certain records pertaining to the registration of qualified voters of Macon County. Patterson advised Varner that he should not remove the records from the Probate Office and that if agents of the Civil Rights Commission wanted to examine any records, they must do so in the office of the Probate Judge. Judge Varner brought the records, however.

On December 4, 1958, Grady P. Rogers received a subpoena to appear and to bring all records containing denials of registration and notice of such denials for all applicants denied registration for the years 1956, 1957, and 1958. Rogers stated that he did not have the records because they had been "impounded" by the County Solicitor of the Circuit Court. The action of the county solicitor was taken on December 8. Rogers refused to answer any questions relating to the registration of whites or Negroes in Macon County. His refusal was based on the grounds that his answers might tend to incriminate him and that he was a judicial officer and not subject to inquiry. The other registrar, E. P. Livingston, gave the same answer. Both refused to take the oath before the Commission.

The following day, December 10, 1958, Rogers and Livingston sent a joint letter to Governor James E. Folsom stating that they were resigning their positions as registrars for Macon County. They said they were doing so because they were being intimidated by the federal authorities.

GOVERNOR PATTERSON AND THE TCA

John Patterson was inaugurated Governor of Alabama on January 18, 1959. Many Negroes in Tuskegee felt that the Patterson administration would be one of the most racist-minded in Alabama's history. During his campaign for the governorship, he had repeatedly asserted that public school desegregation would not occur in Alabama during his term of office. He firmly avowed to close the public schools rather than integrate them. Patterson had announced that he would not invite the marching bands of the state Negro schools to participate in the inaugural parade, as had been the usual practice. He explained that he felt his record and his stand against the National Association for the Advancement of Colored People (NAACP) in Alabama would embarrass the Negroes. (Patterson had been attorney general at the time of the state suit against the Alabama NAACP seeking an injunction to halt its activities in the state.)

The attitude of many Tuskegee Negroes was further supported by the defeat Patterson suffered as a result of his previous contact with the Tuskegee Civic Association.

The TCA was a predominantly Negro organization (there were a few white members, none residents of Macon County) that had been engaged in local civic activities for more than twenty years. The membership of the

group prior to 1957 never exceeded 200. It had the respect of the Negroes in the community, but it never had a mass base. Its major concern over the years has been to persuade Negroes to register and vote. For years the TCA held monthly meetings which were often attended by only ten to twenty persons. These meetings were essentially educational, devoted to discussion of such topics as "The Duties of Citizenship" and "The Duties of County Officials."

On June 25, 1957, when the Alabama Legislature was considering a bill to gerrymander all but ten Negro voters out of the city of Tuskegee (the bill was passed on July 13, 1957),* the TCA held a meeting which was attended by approximately 3,000 persons. At this meeting, the President of the TCA, Charles G. Gomillion, also a member of the faculty of Tuskegee Institute, called upon the persons present to "spend our money wisely," to "spend our money with those who would help us, not oppress us." This was, in effect, calling for an economic boycott of the white merchants in Tuskegee. A boycott as such was illegal in the state, so the word itself was never used.

On July 25, 1957, the TCA office was searched by state officials led by John Patterson. A second "raid" on the TCA offices was held on July 29, 1957. On August 15, Patterson obtained a temporary injunction against the TCA forbidding intimidation and coercion of customers of Tuskegee merchants. The restraining order was issued by the Fifth Judicial Circuit Court of Macon County. In the final disposition of the case on June 21, 1958, the same court held for the TCA, stating: "Thus far in this land, every person has a right to trade with whomever he pleases, and, therefore, the right not to trade with any particular person or business." In what was an unprecedented move, Negro attorneys for the TCA called John Patterson to testify, and many Negroes felt that this action personally insulted Patterson. The attitude of many Negro witnesses was one of great self-confidence in the face of examination by Patterson. During a recess in the sessions, one Negro woman went to Patterson and stated in a very audible tone that "some day there will be an attorney general for all the people of Alabama." After the decision, many Negroes expressed the feeling that "we really showed Patterson this time," and "if he ever gets to be governor, the TCA had better watch out."

This was the man to whom the TCA appealed to appoint a board of registrars beginning in January, 1959.

THE VOTER FRANCHISE COMMITTEE

The job of trying to get a new board for the county was conducted specifically by the Voter Franchise Committee (hereafter referred to as the committee) of the TCA under the chairmanship of William P. Mitchell. Mitchell was also executive secretary of the TCA. These functions occupied his spare time, for he was also a physical therapist at the Veterans Hospital.

* In *Gomillion* v. *Lightfoot,* 81 S. Ct. 125 (1961), the United States Supreme Court unanimously ruled that a state may not gerrymander municipal boundaries on the basis of race. It decided that the Negroes of Tuskegee must be given the opportunity to prove their claim that the Alabama statute was motivated by race.

He had a reputation for being an exceptionally meticulous and tireless worker for the TCA. Most of the organization's voluminous correspondence received his personal attention.

Mitchell worked closely with Daniel Beasley, a long-time member of the committee and also an employee at the hospital. Beasley was a native of Macon County and was said to be the most popular employee at the hospital. He had the reputation of knowing virtually every one in Macon County, white and Negro, which was probably only a slight exaggeration. These characteristics later proved invaluable in obtaining signatures for petitions.

Mitchell and Beasley had worked together for years in getting Negroes to make applications for voter certificates. They conducted clinics in the TCA office to acquaint individuals with the three-page "voter registration questionnaire."* They kept records from 1951 of every Negro who appeared at the registrar's office, the number admitted, and the amount of time needed for each to complete the application. They either appeared personally or had some one stationed in the courthouse to record this information at every meeting of the board of registrars, as well as the time the board started work, the length of time it remained in session, and the days it was supposed to meet but did not. They subsequently checked on each individual to see if a certificate had been issued.

In this way, they were able to compile a detailed, seven-year record of Negro voter-registration in Macon County that was presented to the Civil Rights Commission. They were able to show that during the seven-year period, 1951 to 1958, 1,585 applications for voter certificates were made by Negroes. Only 510 certificates were issued—32 percent. They were able to show that for the 12½ year period prior to December 1, 1958, Macon County was without a board of registrars for three years and four months. All of this was largely a two-man operation. Between the two of them—Mitchell and Beasley—they knew all but a handful of the 1,110 Negro voters of Macon County as of January 1, 1959.

There were eight other members of the committee, but since there was no board of registrars, their work was reduced to a minimum. Mitchell continued to call monthly meetings of the committee at which he would review the month's work, receive suggestions and occasionally assign tasks to a few members. In the final analysis, virtually all the TCA business was handled by Mitchell, especially in Gomillion's absence. (Gomillion was on leave of absence from the Tuskegee faculty until September, 1959 to complete his graduate studies.)

STATE LAW: ". . . THE GOVERNOR . . . SHALL MAKE OTHER APPOINTMENTS . . ."

A few days after the board members resigned, Mitchell decided to write Governor Folsom asking him to appoint a new board of registrars for Macon County. Folsom had only a month remaining in office, and Mitchell felt that

* Applicants for voter certificates must complete a detailed questionnaire as to their residence, personal history, and items such as: "Name some of the duties and obligations of citizenship."

Patterson would "not be in a hurry" to appoint a new board. In addition, Folsom had been a much more liberal governor than Patterson was expected to be, and Mitchell stated that Folsom had always received a large number of Negro votes. Folsom might be inclined to appoint a board out of gratitude to the Negro voters or, which was more likely, in anticipation of running again for the governorship in 1962. The letter was written, but no answer was received from Folsom.

During the second week in January, 1959, Mitchell raised the question of the possibility of "making" Patterson appoint a board of registrars. The Alabama statute read:

> If one or more of the persons appointed on such board of registration shall refuse, neglect, or be unable to qualify or serve, or if a vacancy or vacancies occur in the membership of the board of registrars from any cause, the governor, auditor and commissioner of agriculture and industries, or a majority of them acting as a board of appointment, shall make other appointments to fill such board.

As far as was known, there was no precedent for a suit under this statute, and the courts might construe this duty of the state officials as discretionary. Mitchell was not convinced. He thought there might be a possibility of obtaining a writ of mandamus against the state board of appointment if it refused to appoint a board of registrars in "a reasonable time." The word "shall" in the statute stuck in his mind and he was to return to this tactic some months later.

PETITIONS AND LETTERS

The detailed data presented to the Civil Rights Commission made an impression on the Commission investigators; but, above all, the TCA was further convinced of the necessity for record-keeping in "building a case." Now, since there was no board, Mitchell decided to make a record of the systematic attempts to have one appointed. No one thought these efforts would bring direct, and certainly not immediate, results in terms of the appointment of a board, but this was to be all part of the process of "documenting" a case against the state officials. In addition to this, Mitchell and another member of the TCA's executive cabinet had appeared before twelve United States Senators in Washington, D.C., on July 30, 1957, to testify to the efforts made by Negroes in the county to become enfranchised. The Senate was considering a civil rights bill at that time. On August 28, 1957, Senator Paul Douglas wrote Mitchell: "It will be helpful . . . if civic-minded persons like yourself will continue to assemble the facts that will help to make the case for the next forward step. The final bill is better than seemed possible three weeks ago."

The second week in January, 1959, Mitchell and Beasley drew up a petition to be sent to the Governor and the other two members of the state appointing board. The petition, containing the signatures and addresses of twelve unregistered Negro citizens of Macon County, urged the state appointing board to appoint a board of registrars so the Negroes might register. Each

person signed four copies: one was sent to the Governor, one to the commissioner of agriculture and industries, one to the state auditor, and one was kept in the TCA files. The copy to the Governor was sent by certified mail.

The first petitions were sent on January 20, 1959 in order to reach Patterson's desk the morning of his first day in office, January 21, 1959. Mitchell was careful not to mail them too soon, because he feared that Patterson could say he received them before he was officially governor of the state. Mitchell was assured from years of experience that such attention to detail was absolutely necessary in dealing with most Alabama officials. Shortly after the original idea of the petition came up, Beasley conceived the idea of sending the petitions each week with twelve different signatures until a functioning board had been appointed.

The petitions read the same:

> We the undersigned residents of Macon County, Alabama respectfully request you, the Commissioner of Agriculture and Industries and the State Auditor, to appoint a board of registrars for Macon County in order that we may register as voters in said county.

The majority of the signatures throughout the year were secured by Beasley and another member of the committee, Frank Bentley. Virtually all the signers were employed either at the hospital or the college, and thus were safe from economic reprisals by the whites. (Most of the faculty of Tuskegee Institute supported the program and work of the TCA as dues paying members—one dollar per year—but there were only four on the nineteen-member executive cabinet and only one on the Voter Franchise Committee.) Beasley carried a set of petitions with him at all times, and obtaining twelve signers a week was not difficult. He would stop persons at the local Negro-owned drug store or supermarket. An occasional announcement was made at the weekly mass meetings, and this would result in several signatures, but no attempt was ever made to secure a large number of signatures at any one time by setting up a booth or by setting aside a specific time when individuals could come to the TCA office. When this suggestion was made, it was considered but not adopted. Some members of the committee felt it would be too cumbersome and might result in repeating signatures. As the months wore on, some of the signers, to Beasley's knowledge, did repeat as many as three and four times.

Along with the first set of petitions, Mitchell wrote Patterson urging him to appoint a board. Copies of the letter were sent to the state auditor and the commissioner of agriculture and industries.

When the Civil Rights Commission had begun its investigations in the fall of 1958, one of the main questions asked was whether Negro citizens had complained to the attorney general of Alabama. This had never been done. It was known that Attorney General Macdonald Gallion was Patterson's close associate and nothing would result from such action, but, again, it was a matter of "building a record." Fifteen local, unregistered Negro citizens were contacted by the TCA and asked to write Gallion urging him to investigate the denial of their right to vote in Macon County. The TCA was careful not to compose the letters. The individuals were to use their own stationery and their own language. In each instance, the person stated that he or she had

attempted to register and had been unsuccessful and felt this failure to be registered was on account of race.

Gallion answered most of the letters, and his response was much the same in all instances:

> January 23, 1959
>
> This acknowledges receipt of your letter dated January 20, 1959 (postmarked 7:30 a.m. January 19, 1959), in which you make complaint of being denied voter registration in Macon County. This matter will receive the proper attention of this office.

To the knowledge of the committee, no investigations were ever made, and the fifteen persons were never contacted by the attorney general's office after the letters of acknowledgment.

Mitchell recalled past experience when a board had been appointed but no public announcement was made. As a result, the Negroes were not aware that a board of registrars had been functioning.* To guard against this, Mitchell asked a committee member to write the secretary of state, Mrs. Bettye Frink, asking her for the names of the members of the Macon County Board of Registrars. The Alabama statutes require the office of the secretary of state to keep such information. The thinking was that Patterson might have appointed a new board and simply had it recorded but not announced. The writer of the letter was not to identify himself with the TCA. On February 12, 1959, the following reply was received:

> I have for acknowledgment your request for the names of the current members of the Macon County Board of Registrars. The records of this office do not disclose any resignations by any Members of the Macon County Board of Registrars nor any other change in that Board.
>
> Yours truly, Bettye Frink, Secretary of State

This caused a great deal of concern among the committee members. At that time, the United States Justice Department had an injunction suit against Grady P. Rogers and E. P. Livingston and the state of Alabama under the provisions of the Civil Rights Act of 1957. The suit was attempting to enjoin the denial of the right to vote to Negroes in Macon County on account of race. The main defense was that Rogers and Livingston had resigned, and the 1957 act permitted suits only against individuals, not against the state. The defendants argued that inasmuch as the board members had resigned, there was no one against whom a suit could be brought. Mitchell immediately sent a photostatic copy of the Frink letter to the Justice Department.

It was not known why Mrs. Frink had answered the letter in this way. She was a 25-year old Birmingham housewife who was a political novice, but this was no acceptable explanation. Mitchell and Beasley stated that the women state officials had always been more responsive to TCA communications in the past. At any rate, the decision was made not to give the letter much publicity at the time in hope that a favorable relationship could be cultivated with Mrs.

* On April 19, 1948, a fair complexioned Negro (who could have been mistaken for a white citizen) had to locate the meeting place of the board after several Negroes were refused the information. The board did not function again publicly until January 17, 1949.

Frink in the future. Although she was not a member of the state appointing board, the TCA was always enthusiastic about receiving any kind of response from Montgomery.

Meanwhile, the weekly petitions continued, and Mitchell continued to make written requests of the Governor and the other two members of the appointing board. None of these was acknowledged.

In February, 1959, Mitchell decided to write the former registrar, Grady P. Rogers, who was the newly elected state representative for Macon County. The letter was sent by certified mail, and it had a "Tuskegee Civic Association" return address. It was returned marked "Refused."

After several weeks of this type of activity, some members of the committee became somewhat impatient. It was understood that Patterson would probably not deal with the complaints, but some Negroes were becoming increasingly concerned with the need for new tactics to "smoke him out." At this point, the possibility of a mass march on the state capitol was suggested. One member of the committee felt this would at least produce good newspaper coverage and compel Patterson to respond. Patterson had made very few public statements about the Macon County registrars situation and no statements whatsoever about the demands being made by the TCA. It was believed that Patterson would probably not respond unless he was faced with masses of Negroes camped on his doorsteps. There had been other mass meetings held by Negroes on the steps of the capitol building, and these meetings had received wide press coverage. A mass march would further help to publicize the registration stalemate, and, in view of the official silence confronting the TCA, extensive publicity of the Negroes' grievances could be a useful weapon. Mitchell gave the idea considerable thought, and it was discussed for several days afterward.

The idea was finally tabled. Another member of the TCA executive cabinet stated later that this was a form of action that the TCA did not condone. "Ours is not a mass action group," she said. "We just don't operate like that."

As an alternative, Mitchell suggested that a letter be sent to the Governor and the other two members of the appointing board requesting a conference with them. On May 11, 1959, the following letter was sent to Patterson, with copies to the state auditor, Mrs. Mary Texas Hurt Garner, and to the commissioner of agriculture and industries, R. C. Bamberg:

> This comes to request a conference with you and the other members of the state board of appointment regarding the matter of securing a board of registrars for Macon County. As you know, this county has been without a publicly functioning board of registrars since December, 1958. Please communicate with us as to your date of choice regarding a conference concerning this vital matter.

No answer was received, and two weeks later, Mitchell wrote Mrs. Garner and Bamberg by certified mail requesting a conference. Again, there was no response to these communications.

A COURT DECISION

On March 6, 1959, United States District Judge Frank Johnson, Jr., ruled against the Federal government in the Justice Department's injunction suit

against Rogers, Livingston, and the state. The suit charged that the disparity between the percentages of white and Negro voters in Macon County was "being perpetuated by racially discriminatory acts and practices" of the registrars who applied "different and more stringent standards" to Negro applicants. It named twelve college graduates and eight high school graduates the registrars refused to certify because of race or color. Governor Patterson called the suit "another example of the reprehensible and irresponsible attitude that the present administration in Washington is taking toward the states and state officials."

The court ruled that the two defendant-registrars had resigned in "good faith" and that neither a memberless board of registrars nor the state of Alabama constituted a "person" within the meaning of the Civil Rights Act of 1957. After dismissing the suit, Judge Johnson promptly warned registrars that the court would not "sanction the proposition . . . that registrars are free to resign at will, indiscriminately and in bad faith, and thereby cast off all their responsibilities."

The Justice Department appealed the case to the United States Fifth Circuit Court of Appeals and, because of a bill then pending in the Alabama Legislature to permit boards of registrars to destroy voting records, immediately sought an injunction prohibiting destruction of records pertaining to the twenty Macon County Negroes named in the suit. The request was denied, but the purpose was accomplished through the court's proviso that the state of Alabama give written assurance that these records would be preserved. Attorney General Gallion provided that assurance. A hearing on the suit was held in New Orleans in May, 1959, before the Court of Appeals, and the lower court's ruling was upheld. The Justice Department then appealed to the United States Supreme Court.

In the meantime, Judge Johnson's words rekindled a thought in Mitchell's mind—that of the possibility of bringing a mandamus action against the state appointing board. Perhaps, he thought, if it was possible to show that the failure to appoint a board was an act of bad faith, the court would compel the appointment of a board. Mitchell, and later Beasley who agreed with him, knew that Judge Johnson was talking about the act of resignation of board members and not the act of appointing a board, but this was a distinction without a difference. The idea was only dormant; it was not dead.

NEGROES SEEK APPOINTMENTS

On February 15, 1959, the *Birmingham News* carried a page one story entitled: "No One Wants to Serve—Macon Registrars Jobs Go Begging." The story read:

> The state senator who represents Macon County says the current breakdown in voter registration machinery in Macon County may go on for months to come.
>
> If that happens, no prospective new voter, white or Negro, can be registered unless perhaps he can get a court order to do it.
>
> Veteran Senator L. K. Andrews, grimly apprehensive over the outcome, said the recent intervention of federal authorities has left white residents of

> the county more reluctant than ever before to serve on the Board of Registrars. And there's little likelihood that the three state officials who appoint the registrars would ever consider putting Negroes in the job.
>
> "We'll have trouble getting people to serve," the legislator predicted. "I haven't had a single person ask me to help get him appointed since I was elected the last time. But by contrast I had numerous requests the first time."

The TCA set out immediately to remedy this situation. A meeting of the committee was held to discuss the best methods to persuade individuals to apply for positions on the board. It was known that in all likelihood no Negroes would be appointed, but the decision was made to ask Negroes to apply notwithstanding. Then there was a lengthy discussion on the possibility of getting white citizens to apply.

As far as Negro applicants were concerned, the committee decided to seek persons who had been long-time residents of the county, either businessmen or retired persons, so there would be no question of their availability in terms of time off from work to serve. No persons on the hospital staff or employed by the college were considered. A list was drawn up and narrowed to six Negroes. All were registered voters who had been in the community for over twenty years and who had reputations as good, solid citizens. Mitchell arranged a meeting at the TCA office.

The prospective candidates were briefed on the reason for calling them together. Mitchell told them of the efforts to obtain a functioning board, a story he was to tell often and with much pride. They were informed of the need to have qualified persons apply for appointment. Every one immediately agreed to offer to serve on the board, but no one entertained the slightest expectation of appointment. One lady asked if she should admit that the TCA asked her to apply. This was discussed, and it was finally agreed that no criminal act was being performed, that there was no coercion, and it would be quite proper, should the matter come up, to state the facts. Notwithstanding this, it was agreed not to use TCA stationery (the letters might be refused again), and each letter was to be composed in the individual's own words.

All the letters were relatively short, stating that the person had been a qualified voter in Macon County for a certain number of years, either self-employed or retired, and would like to be considered for appointment to the Macon County Board of Registrars. No indication of race was given. Some of them indicated they believed in democracy, in "good government," and they would like this opportunity to be of public service. One letter referred to the news story telling of the difficulty in finding persons to serve. All the letters were addressed to Patterson as chairman of the state appointing board, and they were sent by certified mail. Copies were sent to the other members of the appointing board.

Mitchell once again emphasized that while their action would probably not result in their appointment, this was all part of the process of refuting the claim that sincere efforts were being made by the state officials to appoint a board. It would further document the injustices encountered by Negro citizens in Macon County. Even though none ultimately expected to be appointed, several of them experienced excitement. Two persons admitted afterward that they had never written to a governmental official before, and it was "high time our peo-

ple spoke up." The question of qualifications was raised, and one man in his late sixties quickly answered: "If Rogers is qualified, then we all are." The persons were assured that the nature of the duties did not, in the least, require extensive specialized training, only a normal intelligence. They all agreed to contact the TCA if and as soon as any response was forthcoming. There was an agreement not to publicize immediately the fact that these individuals had offered their services, but to wait and see what, if anything, resulted. Over a year later, in May, 1960, none of the applicants had been contacted.

WHITE CITIZEN OFFERS TO SERVE

Persuading white persons to apply for positions was obviously far different from and much more difficult than approaching Negroes. The thinking was that Patterson and the appointing board would probably not consider a white citizen unless this individual agreed not to alter drastically the status quo. So, if the committee approached a white citizen who agreed to register all citizens fairly, this would automatically kill his chances of being appointed. There was no doubt that, of the approximately 3,081 white persons in Macon County, at least two could be found who would be acceptable to the TCA, but the committee could not run the risk of asking persons whose views were largely unknown to it. Mitchell felt that if Patterson was at all inclined to appoint a particular white citizen, he would certainly not do so if he discovered that this person had been asked by the TCA to serve. Notwithstanding this, at least it would contribute to the "case we are building."

The situation in Tuskegee was such that even Beasley felt it virtually unthinkable to ask a white person to volunteer. Whatever working relationships he had developed before were nonexistent now. The "boycott" of white merchants made it very unlikely that any white businessman would consent to serve. Or, if he did, it was thought the price he might ask would be the end of the "boycott." The TCA was not willing to consider this.

The decision was reached to exert an effort to enlist white applicants living outside Tuskegee proper. One of the members of the committee who lived in the rural area of the county volunteered to contact a white citizen in his district whom he knew. For purposes of protection of the citizen, his name would not be made known even to the rest of the members of the committee. When it was discussed, the committee member who knew him said: "I think I can talk to him, and I think he would do it. He's been fair all along." The committee realized the possible consequences if it became known that a white person had been "fair all along." By itself, this was not dangerous, but, combined with the further intention to register Negroes without regard to race, it could be, some felt, quite damaging.

The committee member agreed to make the contact and report. A few days later, he brought the message: "He said he would."

Meanwhile, Beasley had approached a white grocer in the rural section of the county. This person had also agreed to apply and had asked Beasley to draw up a letter for him to sign. Immediately, a brief letter was written to the Governor offering to serve on the board of registrars. The letter indicated that the applicant was white and a grocery store owner in the county. It was felt that

the mention of race would have weight at this point, but some Negroes were beginning to think that Patterson did not intend to appoint anyone to the board, white or black. But at least there were two white applicants.

A few days later, Beasley brought a set of petitions to the TCA office and stated that, unfortunately, the grocer had decided "not to have anything to do with it after all." Beasley said that the man "really was not prejudiced," but apparently felt he should not become involved. The committee was disappointed, but it still had the other promise.

At a committee meeting shortly afterwards, the report on the other white citizen was: "He said he did." It is not known if he was ever contacted, and several subsequent appointments did not include his name.

MASS MEETINGS

The TCA had been holding weekly Tuesday evening mass meetings since June 25, 1957. At first, these meetings served as a gathering place to hear about the "boycott." Inspirational speeches were made and the meetings were normally attended by 600 to 800 people. The various churches in the community were used as meeting places.

In January, 1959, the meetings were still being held, but attendance had dropped considerably. Instead of hundreds, the average meeting attracted from forty to sixty people, though attendance improved on a night when a noted speaker was scheduled.

The efforts to get a board of registrars were not dramatic enough, and many people could not identify personally with these efforts. As one Negro said: "Well, Mitchell and you all are handling that. There's nothing I can do right now but stay away from town, and I'm doing that." Announcements were made at the meetings of the work of the committee during the previous week, and Mitchell would ask unregistered persons who had not done so to sign the petitions.

The meetings gradually became less protest-oriented and came more and more to resemble lecture sessions. Eventually, the TCA began to refer to them frequently as "civic education meetings." Because of the very heavy religious influence in the community, some of the Tuesday evening gatherings, expecially when ministers were the principal speakers, appeared to be little different from Sunday morning church services. Each meeting was preceded by a half-hour devotional service, and a majority of the times a church choir furnished music. Occasionally, no reference was made to the work of the committee. An effort was made to have the meetings take on more characteristics of political rallies, but in vain.

BIRTH OF A BILL

One morning in May, 1959, Mitchell called a committee member at 7:30, a frequent practice. Usually he called to ask him to write letters or to do something at the TCA office, but on that morning he sounded more anxious. "I think we've overlooked something," he stated. "I think we should write Sparkman and Hill and Andrews." (These were the two Alabama Senators and

Representative in the United States Congress.) He asked that letters be drafted setting forth the efforts the committee had made to reach the state officials and asking the assistance of the congressmen. Mitchell thought that one of them might attempt to persuade Patterson that the Macon County situation did not present Alabama in the best light nationally. Again, this was not done with any high expectations, but inasmuch as letters were being written, the United States Senators and Representative might as well be included on the list.

Replies came promptly. Hill wrote:

> I have your letter of the 16th and in reply thereto let me say that the State Board of Appointment is established under the laws of the State of Alabama. The Board therefore derives its authority from the laws of the State of Alabama and operates under the laws and jurisdiction of the State of Alabama.
>
> As a United States Senator, I have no voice or authority in the administration of State laws and the State Board of Appointment.

Sparkman replied:

> I have your letter of May 16 regarding the Macon County Board of Registrars. As you know, this Board is set up under the laws of the State of Alabama. Accordingly, its membership, organization, and operation are controlled by state law. As a United States Senator, I have no authority in connection with the administration of the laws of Alabama.

Representative George Andrews did not answer.

Shortly after the responses from Hill and Sparkman, one committee member suggested to Mitchell that the TCA launch a nationwide campaign for a federal law regulating registration and voting. It was quite clear by this time that there were not going to be any major results on the state level. The decision was made to obtain 2,000 signatures on petitions urging Congress to pass a Federal law regulating voter registration. The TCA would draft a proposed bill and submit it for consideration, and the committee planned to tie in its efforts on the local level with this new drive. Now would be the time to start revealing the case against Alabama. The state officials had been given their chance. Now the TCA would release all information to show the Congress and the nation the true injustices in black belt Alabama. From this point on, the TCA took on new life and, in a real sense, new meaning.

The petition read:

> We, the undersigned, as citizens of these United States of America, in view of:
>
> 1. the many years of denials of the constitutional right to vote to many American citizens because of their race and color, and
> 2. the various and devious tactics employed by many local officials, especially in some southern states, to prevent the registration of potential voters on account of race and color, and
> 3. the failure of several southern state officials to remedy this situation, notwithstanding repeated and persistent requests from local citizens to have them do so, and
> 4. the great likelihood that such denials, tactics and state inaction will continue indefinitely, and
> 5. the fact that voting is one of the most basic of all constitutional rights, the absence of which weakens our nation as a representative democracy,

> do respectfully petition the Congress of the United States to give thorough consideration to and to pass an effective federal law regulating voter-registration.

At the mass meeting of May 26, 1959, Mitchell announced the plans. Fortunately, there was an exceptionally large audience because a noted Negro attorney from Montgomery and one of the leaders in the Montgomery bus boycott, Fred Gray, was the speaker. One hundred petitions had been mimeographed with space for 56 signatures. Each person was to sign three copies. The plan was to send one copy to Senator Paul Douglas, one to Representative James Roosevelt, and one copy to be retained in the TCA files. Douglas and Roosevelt were selected because it was felt they were definitely committed to the type of legislation the TCA was interested in, and, in view of their several outspoken statements in the past, the committee believed they would use the petitions to the fullest advantage. It was realized that there were other friendly congressmen, but the selection had to be limited. Several petitions could have been sent to several different congressmen, but the committee wanted Douglas and Roosvelt to introduce the bill in their respective houses and, possibly, to lead the fight for its passage.

Approximately 350 signatures were obtained at the May 26 meeting. Several sets of petitions were sent to individuals and groups in thirteen states, North and South. The committee was always careful to spell out in its letters exactly why it felt a Federal law was necessary. A "Fact Sheet on Voter Registration in Macon County, Alabama" was prepared setting forth statistics on Negro voter-registration and the various steps the TCA had taken to get the Governor to appoint a board. Mitchell constantly reminded his listeners of the importance of not giving the erroneous impression that this was a campaign for a bill that would apply only to Macon County. The point was always stressed that such a law was needed in many areas throughout the South.

From the start, the committee looked upon this new venture as having a two-fold purpose. First, if enough support could be obtained for the idea, the Governor might be pressured into appointing a board. Second, perhaps, it was political naïveté, but the committee thought it had a chance to have a bill introduced and considered. Mitchell was fairly convinced that if the TCA publicized fully its fruitless efforts with the state officials, it would get a national hearing in the Congress.

Early in June, 1959, Mitchell wrote 35 United States senators and representatives advising them of TCA plans. Several encouraging replies were received.

Senator Joseph S. Clark wrote:

> Thank you for your letter of June 9, regarding the need for effective Federal legislation to protect voting rights as guaranteed by the Fifteenth Amendment. I am acutely aware of this need . . . the registration situation in Macon County is a national disgrace.

The late Senator William Langer said:

> This will acknowledge and thank you for your letter of June 10, relative to a law to govern voter registration. You can depend upon my active support and I will do everything possible for it. It should have been passed 100 years ago.

Roosevelt and Douglas replied that they were ready to assist in whatever way possible. The national chairmen of the Democratic and Republican parties were sent letters describing the Macon County situation and indicating the TCA's intention to ask for a voter-registration law. Paul Butler answered that he felt such a law would have a "salutary effect," and Senator Thruston B. Morton declared that he favored the civil rights program outlined by the Eisenhower administration.

Petitions were given to many persons in the community who had them signed on their jobs and in their club meetings. Approximately 1800 signatures were ultimately returned to the TCA office from local and national points.

A proposed bill was drawn up and sent along with another letter to the 35 congressmen on June 15, 1959. In addition, the petitions were sent to Senator Douglas and Representative Roosevelt. A mass meeting was planned for June 16 at which time the TCA would announce the sending of the petitions and the drafting of the bill. On June 16, the local TV station in Montgomery announced the plans and the mass meeting for that night. The principal speaker was a member of the committee and an instructor on the faculty of Tuskegee Institute. The TV news account stated that certain state legislators indicated that they would suggest a state investigation of Tuskegee Institute where certain faculty members were engaged in pro-integration activities. (The college received funds from the state for specified services rendered under a contractual arrangement.)

At the meeting, the speaker recounted the fruitless efforts of the committee to get a board appointed. After the petitions to Congress had circulated throughout the community for three weeks, the story had been retold many times. A large number of people had become familiar with the committee's efforts over the last six months. It was noted that several persons had offered to serve and that none of the TCA's requests for a conference nor any of the communications had been acknowledged. The fact that Representative Rogers had refused a letter from the TCA was good evidence of rejection by the state officials. It was not difficult to show that on the state and local levels the doors to the centers of policymaking were closed to the TCA. The speech cited an article which appeared in the *Montgomery Advertiser* on February 18, 1959 that stated that the Alabama Legislature had created a special committee "to recommend any legislation it thinks necessary to keep Negroes in Macon County from gaining political control." There was no choice but to turn to the Federal government for relief.

On June 24, Representative Adam Clayton Powell introduced H.R. 7957 in the House of Representatives. The bill was almost a complete reproduction of the proposal the committee had sent to Powell and the other congressmen. It was referred to the Committee on House Administration. H.R. 7957 became a pass-word in Tuskegee. In about one month, the TCA had a bill in Congress, an occurrence which exceeded all expectations.

Some persons suggested that Powell's sponsorship was a political kiss of death. They felt that it would have been much better if a more "acceptable" political figure had introduced the bill. There was a great deal of speculation as to why Powell had "jumped the gun." The committee had hoped to confer with several congressmen in an effort to get joint sponsorship. Some people in the community indicated that this was another good issue for Powell to use as

a personal sounding board. Most of the committee members concluded that they could not spend time bemoaning the fact that Powell had introduced the bill. There was some question whether the TCA's intentions were made entirely clear. The committee had sent copies of the proposal to the 35 congressmen without indicating to them the plan to have Douglas and Roosevelt introduce the bill. Under these circumstances, Powell's actions were understandable. In a sense, the committee felt that his sponsorship was an advantage, inasmuch as he might be prevailed upon to speak out frequently for it, and, at the same time, draw more attention to the situation in Macon County.

Mitchell wrote Senator Douglas, Representative Roosevelt, and several other congressmen advising them of the existence of H.R. 7957 and soliciting their support for the bill. On July 20, 1959, Senator Douglas wrote that he was "somewhat puzzled" as to what position he should take on H.R. 7957 in view of the fact that there were "numbers of other measures dealing with the same subject." Mitchell answered on August 8 that the TCA was unaware of a "bill in the Congress that would provide for the registration of persons in a given county once that county ceases to have a functioning board of registrars." Mitchell explained that H.R. 7957 "provides for a commission to proceed to register persons in a given county in the event that there is no functioning board of registrars in that county after a 60-day period."

Mitchell immediately realized that the chances for getting the bill considered depended in large measure on continuing efforts to pressure the state officials. The TCA could not hope to have H.R. 7957 reported during the 1959 congressional session, but it figured that by the time the second session opened in January, 1960, it would have had sufficient time to concentrate on "building a stronger case against the state appointing board while, at the same time, we were building a case for a Federal law." While the TCA would have welcomed any response from official Montgomery, some of the Negroes felt that Patterson's continued silence would begin to work in their behalf. This would help to show the absolute hopelessness of trying to deal with the Alabama officials.

APPOINTMENTS DECLINED

On July 16, 1959, the press announced that three appointments had been made to the Macon County Board of Registrars, a reflection, some thought, of the efforts to obtain a Federal registration law. They believed that Patterson made the appointments to cut into whatever support the TCA might be able to build for a Federal law. No one thought that the petitions and letters to the appointing board had brought this action. "There is one thing those people over in Montgomery fear and that's the Federal government," one Tuskegee faculty member stated. The mere appointment of a board was not sufficient. Mitchell decided that the petitions to the appointing board would continue until the new board actually began receiving applicants.

The *Montgomery Advertiser,* on July 17, 1959, contained the following article: "Macon Board is Undecided on New Posts:"

> Those appointed to the board which has had difficulty keeping members in the racially tense county are Howard Lynn of Rt. 1, Notasulga, chairman, and J. H. Sadler and John Sullivan, both of Tuskegee.

> Lynn said he hadn't yet received notice of his appointment and that it would take "several days to make up my mind" whether to accept. Sullivan declined comment and said it would also be a day or two before he would have anything to say about whether he would serve. The third man, Sadler, couldn't be reached for comment today but had previously said he would have to "look into the matter a little further" before making a decision.
>
> Mitchell, the TCA secretary, said he was "very happy to have a board of registrars in the county again and hopes that it will function for all the citizens."
>
> "However, we will continue to press for enactment of House Resolution 7957 now pending in Congress to set up a federal voter registration commission," he added.

Mitchell was a little skeptical about the sincerity of the appointments. He did not understand why Patterson had not received the consent of the persons or notified them before the release to the press. The committee also concluded that this could well have been an attempt to stop the continuous flow of petitions and letters to him. A few days later, the press announced that one of the appointees had refused the appointment. The Montgomery *Alabama Journal* ran the story on July 22 on page one:

> J. H. Sadler of Tuskegee said he had decided against accepting the appointment because the small amount of pay involved wouldn't allow him to stay away from his service station on the first and third Mondays of each month that the board meets.
>
> None showed up Monday for one of two monthly registration sessions, and an undetermined number of Negroes left the courthouse without registering.

One committee member had gone to the courthouse on that Monday morning and talked to and counted eleven Negroes who had come to register. He spent two hours at the courthouse. One Negro who waited about one hour stated: "They might as well come on down here, we'll be here when they get here." This man, who appeared to be in his late forties, was asked if he had tried to register before. He had not. When asked why he was doing so at that time, he simply shrugged and said, "It's about time, don't you think?"

Sadler's resignation did not mean that the board could not function. There were still two others. This possibility was erased two days later, however, when the following story appeared in the *Atlanta Constitution:* "Tuskegee Voter Bar Continues":

> A seven-month breakdown of voter registration machinery continued in heavily Negro populated Macon County Thursday after three newly appointed white registrars declined to serve.
>
> Governor John Patterson released copies of letters from Howard Lynn of near Notasulga, J. H. Sadler and John Sullivan of Tuskegee. They gave as reasons for declining to serve the pressure for Negro registration and federal intervention . . . the governor, a member of the state board which appoints registrars, said he and the other two members—State Auditor Mary Texas Hurt Garner, and Agriculture Commissioner R. C. Bamberg "have tried and are trying to find competent citizens" to serve on the board. "Our job is

> difficult," Patterson added in a prepared statement, "because of the unwarranted harassment by the federal government and particularly the Civil Rights Commission. It is hard to ask a man to subject himself to such treatment as the previous boards of registrars have experienced in the past at the hands of the federal government."

This was the kind of public statement the committee had been awaiting from Patterson. Now he could be answered specifically by pointing out that there were Macon County citizens ready, willing, and able to serve. Mitchell decided to send Patterson a telegram in reply to his statement, and to release the telegram to the press. The hope was that the reporters would question Patterson on the contents of the wire. For a brief time, it appeared that a breakthrough had been made, and Patterson might be forced out of his silence. Because the record was so well documented, Mitchell felt that any reply Patterson made could be used against him. One very unfortunate mistake was made, however. The telegram was sent at a time when Patterson was out of the state. He could be approached when he returned, of course, but the matter of timing was very important, and the committee simply had slipped up.

The *Montgomery Advertiser* carried the story on August 2 entitled: "Macon Board Appointments Asked Again":

> Another appeal for appointment of a voter registration board in Macon County was sent Saturday to Governor John Patterson by an official of the Tuskegee Civic Association.
>
> William P. Mitchell, executive secretary of the TCA, a predominantly Negro organization, said he sent a telegram to the governor calling upon the state appointing board to provide the county with a board of registrars.
>
> Patterson left Saturday to attend the governor's conference at San Juan, Puerto Rico, and was unavailable for comment.
>
> The other two members of the state appointing board . . . were also unavailable. Mitchell's telegram referred to a news story of July 24, which quoted the governor as saying "we members of the appointing board have tried and are still trying to find competent citizens of Macon County to serve on the board of registrars."
>
> "This will respectfully call your attention to requests made by eight competent citizens of Macon County to the appointing board to be appointed to membership on this board on March 14, May 21, and May 22," the telegram said.
>
> "It appears that if a sincere effort was made to find three citizens to serve on the Macon County board that these citizens might have been considered."

The committee had missed its chance. There was no answer from Patterson to this news story when he returned to Montgomery. There was thought of having one of the white reporters ask him about the requests to serve, but this was never followed up. Mitchell did not want to give the impression that the TCA was trying to solicit the aid of the press. If the newspapers were objective in reporting the facts, this was all the TCA could ask.

MORE COMMUNICATIONS—UNANSWERED

After the unsuccessful attempt to engage Patterson in a public debate, the committee continued to publicize H.R. 7957, and Mitchell continued to communicate weekly with the state appointing board. All the letters were sent by certified mail with return receipts, and they followed the same general pattern.

September 7, 1959

This will again respectfully request you and your associates on the State Board of Appointment to provide Macon County with a publicly functioning board of registrars. You are aware that unregistered citizens in this county have not had an opportunity to register as voters for ten (10) months. Your attention to this very urgent matter would be appreciated.

September 18, 1959

Your failure to answer any of our many requests to you, Mr. Bamberg, and Mrs. Garner (the State Board of Appointment) seeking the appointment of a board of registrars for Macon County leaves us in a quandary. Surely, Mr. Patterson, your administration desires to serve the ends of democracy. The appointment of a functioning board of registrars here would make available to the thousands of unregistered citizens the most elementary of the rights inherent in our democratic process. We, therefore, call upon you and your associates again to appoint a board of registrars here, and repeat that many citizens are willing to assist you in finding qualified persons to serve as members on the Macon County Board of Registrars.

September 29, 1959

Our past requests to you to appoint a board of registrars have gone unanswered. We call upon you and your associates again to provide Macon County with a board of registrars in order that qualified citizens of this county might register as electors.

October 19, 1959

Representatives of the Tuskegee Civic Association respectfully request an audience with you and the other members of the State Board of Appointment at a time and date set by you for the purpose of trying to assist you in finding citizens in Macon County who would be willing to serve on the Macon County Board of Registrars.

APPROACHING OTHER GROUPS

During the late summer and early fall weeks, members of the committee spoke often before local social, fraternal, church, and student groups. The purpose, however, was to get these groups to write Congress in support of H.R. 7957, not to contact the Governor. The presentation always started with an account of the efforts of the committee to obtain relief from Alabama officials and then led into a discussion of the bill. Once, the suggestion was made to have these various groups contact the state appointing board in addition to writing Congress. The point was that this would tend to show wider representation. This was a valid point for consideration inasmuch as the committee had heard from a visiting group of white college students from Ohio several months before that some white officials in Tuskegee had told them that the TCA did not represent the interest of the majority of Negroes in

Tuskegee, a common misrepresentation of Negro political action groups. There was a good opportunity to refute this claim in Tuskegee, because the TCA could get other groups to join its efforts to get a board appointed. The matter was discussed, but the decision was the same as that regarding asking the people at the mass meetings to write: the TCA would handle the business of approaching the state appointing board. The TCA would do nothing to discourage other groups from writing the Governor, but it would not suggest such action. The point was never raised by any member of the other groups. This was another example of the division of labor that prevailed in the community; civil rights was the exclusive province of the TCA.

In early August, the TCA invited several Negro leaders from other parts of Alabama to a one-day "strategy" conference on the best methods to build support for H.R. 7957. Leaders from Mobile, Birmingham, Montgomery, and several other areas attended. Again, the TCA gave the full account of its efforts to have a board appointed, and, again, Mitchell emphasized that this was not a "Tuskegee or Macon County bill," that H.R. 7957 would benefit many counties throughout the South. While the meeting was being planned, the point was raised whether these persons should be asked to write the Governor urging the appointment of a board for Macon County. The committee's response was almost unanimous: this was a "Macon County problem," and it would be handled by Macon County Negroes.

There were several reasons for this attitude. Many Southern Negro political action groups took great pains to avoid the accusation that they had been influenced by "outsiders." The Southern white politicians (and the press, to an extent) had used the label "outside agitators" to account for protest from Negroes and to discredit political movements among them. Normally, "outsiders" referred to Northerners, but in the case of appointing a board for Macon County, some members of the committee felt it could refer to the next county. In addition, there was a strong inclination "to prove that we can solve our own problems." This was intended largely as a refutation of the idea of some Southern white persons that Southern Negroes needed "outside" help and guidance in their protest actions. This restriction of their activities disturbed some committee members, because they felt the committee was letting the white politicians determine its methods—to its detriment.

Another reason for looking upon the matter of appointing a board as within the exclusive jurisdiction of the TCA was the fact that there was some inter-group rivalry and jealousy that was difficult to overcome. This was due partly to mutual distrust of leadership, to differences in approach to various social issues and to the real problem of maintaining group identity. As could be expected, the new phenomenon of Southern Negro protest created new problems among Negro leadership groups. The competition for headlines, the conflict of fund drives, and the desire for personal recognition were some of the factors injected into the struggle of a group of people intent on gaining status and benefits which a new day promised. Pronouncements such as "There's enough work for all of us to do" were made often, but one could easily detect, in many instances, an underlying jurisdictional dispute as to geographical area and subject matter.

The TCA had another opportunity to reach a wider audience with the com-

bined story of efforts to get a board for the county and H.R. 7957 at the semi-annual meeting in Montgomery in October, 1959 of the Alabama State Co-ordinating Association for Registration and Voting. Negro leaders attended this meeting from a majority of the 67 counties in Alabama. The purpose was to work up effective ways to get Negro citizens registered throughout the state. Mitchell reviewed the work of the committee. H.R. 7957 was explained, and all groups were urged to conduct letter writing campaigns to Congress. No effort was made to bring statewide pressure on the Governor and the other members of the state appointing board.

TO SUE OR NOT TO SUE

By early October, the time had come to give serious consideration to an idea Mitchell had been nursing for some time; namely, a suit against the state appointing board to compel it to act. The committee was given authority by the executive cabinet to consult legal counsel to explore the possibilities of such a suit. It was understood that this would be a unique case, and there was no way of predicting the outcome. The committee was advised that the case was not hopeless, and that a court might be prevailed upon to rule in its favor, especially if it were taken high enough. (There was in 1959, understandably, a rather confident feeling among many Negro leaders about the liberality of the Federal Supreme Court, and the feeling that the time was ripe to argue for new interpretations of the Federal Constitution.)

Some persons questioned the wisdom of incurring the expense in view of the great uncertainty while others felt that the suit would definitely have nuisance value. Some were of the opinion that even if the TCA lost such a suit, this would help to define the law and to further point up the need for more effective Federal legislation in the area of voter registration. There was concern that the Governor might appoint a board after a suit was filed and before a final determination. The fear was that a board might be appointed, serve for a short time to defeat the suit, and then resign. This could occur indefinitely, and the committee was not clear on the exact meaning of Judge Johnson's words that the court would "not sanction repeated resignations in bad faith. . . ." It was likewise understood that the TCA would have no right to ask for the appointment of persons of its choice. The lawyers with whom the committee consulted felt that the TCA could, under such circumstances, ask the court to hold the case on the docket; that once it was in court, it would not have to refile the suit.

Some preferred to have the legal aspects researched as thoroughly as possible before proceeding. One member of the executive cabinet was making a trip to Washington, D.C., in October, and she was to discuss the matter with several lawyers and law professors there. It was decided to defer a decision until her return, but it was the general feeling that such a suit would be worth the expense.

A few weeks later, the report from Washington was that the TCA could expect assistance in the form of advice based on legal research. The next decision was whether to file immediately or to wait for the preliminary research. Some members of the committee wanted to file suit immediately, but it was

decided to discuss the matter fully with the executive cabinet before proceeding. As it turned out, the enthusiasm of the committee was not generally shared by the executive cabinet although the cabinet would have followed the recommendation of the committee. The prevailing attitude, even later shared by Mitchell, was that the TCA should forego any legal action for the time being in the hope that Congress would pass an effective law at the next session.

MORE APPOINTMENTS?

The terms of the members of the boards of registrars throughout the state expired in November, 1959. The committee waited to see what would be done for Macon County. As the days passed, the press announced several appointments for other counties. Mitchell wrote Patterson on November 9, 1959:

> We note that you and your associates on the State Board of Appointment made assignments of personnel to boards of registrars in several counties last week, and the news story stated that others would be made this week.
>
> We hope, Mr. Patterson, that a full publicly functioning board of registrars will be provided for Macon County in the near future.

Finally, on November 25, the *Montgomery Advertiser* ran the following article: "Macon Given New Board of Registrars:"

> A new board of registrars has been appointed in Macon County but the identity of the members has not yet been made known. Governor John Patterson revealed Tuesday that the appointments in Macon had been made as well as in 18 other Alabama counties.
> Patterson admitted that the state board had encountered "a lot of trouble getting people to serve."
> "They don't get paid, and by serving they may be hauled into court by the FBI or the Civil Rights Commission," he said.

The committee did not understand the reference to pay, because the registrars were paid $10 per day.

The TCA awaited further announcement of the names and the acceptances. The July experience had shown that there was a definite difference between a board and a publicly functioning board, and the petitions and letters to Patterson continued. No further announcement was made, and, as far as was known, there was still no board for the county.

TO MARCH OR NOT TO MARCH

At a January, 1960, meeting, the executive cabinet discussed the program for the new year, including suggestions to the committee on possible next steps in efforts to get a board of registrars appointed. This was the time to present the idea of a march on the state capitol. There were a few who highly favored the idea as a means of further publicizing the registration stalemate. After a lengthy discussion, an agreement was reached to proceed with the march. Several things had to be decided: who would go? when? how? what would be done once the group assembled on the capitol steps?

At first, some felt the trip should be made only by those unregistered

citizens who had signed petitions. This meant approximately 600 persons. Another member of the cabinet saw no reason why "we shouldn't get a thousand," that anybody who could get to Montgomery (forty miles from Tuskegee) should be asked to go. It was agreed not to limit the number. Mitchell counseled that all cars should park several blocks from the capitol building, and the persons should walk in small groups to the capitol, otherwise traffic problems might be encountered. Two executive cabinet members were designated to contact persons who had means of transportation and who could take the time off from their jobs.

There was general agreement that a good time to conduct the march (or motorcade) would be on or near February 15, 1960, the date the United States Senate was to begin debate on a civil rights bill. The suggestion was made to stage the march on a Monday so the TCA could take advantage of the event in order to attract a large audience to the mass meeting the following night. This might provide the stimulus for revived mass attendance. Another suggestion was made to plan the march at a time when Patterson was definitely in Montgomery. It was then decided to write Patterson requesting another conference, and if he refused, as he was sure to do, then the march could be publicized as an attempt on the part of citizens of Macon County to have an audience with their Governor. There was the belief that if Patterson had prior knowledge of the plan, he might arrange to be out of town, so no news releases were to be given to the press far in advance.

The executive cabinet never got around to discussing whether placards would be used or exactly what would be done once the group assembled on the capitol steps. The matter was left with the designation of two persons to develop specific details. The subject was never discussed formally again. February 15 came, and there was no march, and those who strongly favored the idea did not pursue it further.

Another factor intervened during the third week in February, 1960, that put an end to any possible plans of staging a mass protest march to Montgomery. This was the week that a group of Negro college students from Alabama State College in Montgomery attempted to integrate the lunch counter in the Montgomery County courthouse by "sitting in." This action led to a series of events, including a mass assembly on the capitol steps by hundreds of Negro students, the patrolling of the downtown Montgomery area by private white citizens carrying baseball bats, a motorcade through the downtown area by whites bearing anti-Negro placards, and a near race riot on March 8, 1960 when hundreds of Negroes attempted to hold another prayer service on the capitol steps. The city of Montgomery passed several ordinances, one of which forbade mass public demonstrations in the city without prior approval of the city officials. It was obvious that this meant the TCA would definitely not hold its mass march. Racial tension was very high in the capital city, and Montgomery officials announced that they would not sanction further mass demonstrations in the city by Negroes or whites. Some members of the committee, however, were never convinced that most of the officers of the TCA sincerely condoned the suggestion of a TCA-sponsored march, and the creation of a committee of two to formulate plans appeared to be one method of terminating the idea.

THE PRESS

The day-to-day operations of the TCA were not front page news items. In other places, perhaps, the silent treatment on the part of the Governor and other state officials toward a group of citizens would be of public interest, but not in Alabama—when that group was predominantly Negro. Weekly news releases were sent announcing the meetings and, occasionally, summarizing speeches, but these were never given prominent display by the white dailies in the state. A lengthy release was given reporting the June 16, 1959 mass meeting when the petitions and the proposed bill were sent to Congress. On that day, the *Montgomery Advertiser* ran a page one story of a pro-segregation Negro organization in Birmingham that had criticized "self-styled Negro ministers who substitute integregation and other social doctrines" for the gospel. The TCA story was carried on an inside page reserved for "Negro News Events."

A few of the larger Alabama dailies had editorialized in favor of fair registration and voting practices, but they never mentioned the efforts of the TCA to get a publicly functioning board of registrars for Macon County. Most of the editorials continued to insist that the matter of registration should be left to the several states. On February 8, 1960, the *Birmingham News* editorialized:

> . . . this paper certainly has argued that there can be no arbitrary bar of the vote merely on the basis of color. We have so tried to influence our state officials toward a realistic policy on this matter. . . . Some qualified Negroes, we sincerely believe, have had difficulty registering in one place or another. But we do not believe they are in "large" numbers.

It was not uncommon to read an editorial similar to the following which appeared in the *Talladega Home News* under the title: "The Feds Did It":

> Certainly we are concerned over the plight of those citizens of Macon County otherwise qualified, who are unable to register as voters because no registration board exists. The blame for the distressing situation, of course, rests with the federal government and its program of harassment of southern registrars who do not permit Washington bureaucracy to dictate how they shall exercise their judicial functions. . . .

This is, of course, not the complete picture. Occasionally, an editorial would appear similar to the one in the *Lee County Bulletin* of February 2, 1960, on the proposal to provide federal registrars:

> . . . it is simply a bill drawn by the attorney general and approved by the President which rescues thousands of colored voter applicants from a hopeless situation. Nothing is to be gained by crying foul. It is true that this matter ought to be handled by the states. But the states have failed to act fairly and honorably. Alabama, along with several others, has asked for what it is getting. At the time of the Civil Rights Commission hearings in Alabama last year this paper pleaded that Alabama officials ought to act in good faith in this matter of registering voter applicants regardless of race or color. . . .

Most TCA officials did not have great faith in the reporters from the Southern white press. There was the feeling that "all they want is a story,

preferably a sensational one." If the story would contradict another Negro leader or group, then this was even better. Mitchell explained his position at one of the mass meetings when he told the audience: "There are some reporters I don't talk to at all when they identify themselves."

There was a better reception from the Negro-owned weeklies in the state, but their circulation and their influence were not extensive. The TCA ran a short, weekly column in the local, *Tuskegee Southern Observer* (Negro owned) for about four months. The column, "From TCA Files," set forth the various efforts the TCA was making to get a functioning board, and it ran excerpts from letters received from governmental officials and others. While there was some disappointment that the *Observer* did not take a more militant editorial stand on the refusal of the Governor to appoint a board, the four-page paper did give considerable space to TCA meetings. It was recognized that, in addition to the small circulation, the Negro press suffered from the same lack of access to the state officials that plagued the TCA.

THINGS UNDONE

Over the year and a half there were some things the committee considered doing but on which it never followed up. The committee had thought of placing a full-page advertisement in the *Montgomery Advertiser* setting forth the complete story of its vain efforts, but the cost was prohibitive. The lack of money was due partly to the fact that on one occasion the TCA refused to accept an unsolicited, financial donation from a person outside Macon County. The reason was that the TCA did not wish to give the appearance of being a "money-grabbing organization." On several occasions, the pronouncement was made publicly that the Negroes of Macon County could finance their own battles. This appeared, again, to be part of the tendency to form no connections with "outsiders," and to give the impression that "we are willing and able to pay for our own rights with our own money."

Throughout the period, no attempt was made to reach the Governor or the other members of the state appointing board through private, influential white citizens. This was due largely to the fact that the committee simply did not know any such persons who would be so disposed. It felt that if a white citizen were friendly toward the TCA, then he would not be influential with Patterson, and vice versa.

The suggestion was made to contact a white newspaper reporter in the North to have him make inquiries of the Governor regarding the persons who had offered to serve. The committee also thought of asking a national Negro publication to come to Tuskegee and to do a feature story on the Macon County situation. It did not follow through on these ideas. Some of the inaction was due to the fact that most of the day-to-day work was handled by two or three persons. Time and energy were major factors, since no one could devote full-time to TCA business. Yet there was never a serious move to involve more people in the operation of the organization.

New ideas and new tactics were approached cautiously insofar as they involved dealing with the state officials. There was an overriding inclination to be "right and sound" that often gave the appearance to some of being too cautious

and conservative. This was part of the hesitancy, in the final analysis, to proceed with the march to Montgomery. Some members of the executive cabinet voiced the opinion that "we are too conservative," and "the TCA is more an educational organization than an action group." Many ideas were brought up for discussion, but the basic pattern of protest had been set.

SHIFT IN FOCUS

After a year of petitions and unanswered letters, many Negroes were becoming convinced that Patterson would not appoint a board in the near future, and if a board were appointed, it would not function impartially. There were very few Negroes in Tuskegee who really believed that they would be given the franchise by state officials who would come to see the error of their ways and act justly. Very few Negroes believed, anymore, that the "Southern white man is our friend." There was disappointment and distrust. For decades, many Negroes believed that their problems stemmed from a handful of white politicians and that, when glaring injustices were exposed, all the "decent thinking white people" in the South would protest. Now, the Macon County situation convinced many Negroes that forces more powerful than they had imagined were arrayed against them. The most damaging realization was that most of those whites who were previously "friends" were nowhere to be found. They did not protest the inequitable treatment of Negro voter applicants; they did not offer to serve on the board of registrars. Many of these whites were in business, and they had solicited the Negroes' trade for years. The Negroes had given this trade, and now there was an intense feeling of betrayal. One member of the TCA's executive cabinet had served for 21 years as supply officer of the VA hospital. He had given many orders to white merchants in Tuskegee, and when he sought to register in 1957 and 1958, he "failed" the examination—three times.

There were several meetings with white ministers and a few other white citizens from nearby counties, but these were discussion sessions, aimed at "getting to know each other." One often heard that these persons could not afford to speak out forcefully in defense of the Negro's right to vote, that they were of greater service in their present roles. This seemed dubious to some Negroes in Tuskegee who felt that, although these persons had no influence with Patterson, the moral impact of a forthright stand would far outweigh the separate disadvantages that might accrue to some of them. This seemed to the Negroes to be an especially valid point in view of the comments often made by some of these white ministers that "you'd be surprised how many in my congregation really sympathize with you folks over here." Some Negroes felt that this subtle sympathy should have been turned into open organization to offset the organized racist groups. This was a frequently discussed subject among Negroes in the community, and there was by no means uniformity of opinion on it. One young Negro minister once commented: "I say the Southern white ministry is not to be congratulated or applauded if it speaks up on race matters favorably to the Negro. It is only doing what it should do if it believes in the gospel of Christ. First, a man must get conviction; if he has conviction, then courage is necessarily forthcoming. The Southern white 'liberal' must be will-

ing to give up his job. If he has conviction, he will have the courage." In response to this another Negro minister stated: "A man must look out for his bread and butter first, and frankly, I can understand this. If my congregation told me to back away from this TCA business, you can bet I'd do it. This is only common sense. A person has to keep his body together. I have to watch that collection plate every Sunday. If I get up there and start talking things they don't want to hear, they'll stop giving and I'll feel it. Conviction is one thing, but pure reality is another. You, _____, might not have that problem. Being _____, your job is guaranteed. You're protected. But not me. I have to cater to that congregation if I know what's good for me. And I'm sure the very same thing is true of many Southern white ministers. That's why I admire those who do finally speak out at great jeopardy to their jobs and families."

A combination of events throughout the 1950s had led the Negroes to feel that they no longer needed to rely solely on the goodness of the Southern white community. The Negroes of Macon County had seen the busses of Montgomery, Alabama, desegregated by a Federal court order. They had seen a Federal civil rights commission with a Negro member come into the South and require the local politicians to produce their records. They had seen Federal troops escorting Negro children to a desegregated school in Little Rock, Arkansas. In August, 1959, they read the report of the Civil Rights Commission recommending Federal regulation of registration and voting. In January and February, 1960, they read the new bills introduced into the United States Senate and the House of Representatives providing for some form of Federal relief for voteless Negroes.

Many Negroes in Tuskegee came to realize that there was no need to submit to the system of accommodation of an earlier time. They could have economic security and political participation simultaneously, and they were beginning to believe that anything less was a denial of their dignity and self respect. There was, at times, sharp internal disagreement on approach, but this was the common attitude. This feeling was also aided by the national publicity focused on the South and the Negro. Many found personal satisfaction in telling friends in other sections of the country what "we" are doing in the "struggle down there." There was, to an extent, a feeling of competition among certain Negro communities—a kind of bid to "out civil rights" the others. This was evident in the speeches and actions at statewide and regional meetings and in private conversations. These factors cannot be overlooked in an attempt to understand why hundreds of Negroes in Macon County signed petitions and wrote congressmen, why some continued to attend the weekly meetings long after the TV cameras stopped coming, and why some offered to serve on the board of registrars. Others were inspired by the nationalistic struggles in Africa which were referred to often in speeches at the meetings.

Thus, while petitions and letters to Patterson and to the state appointing board continued, all eyes were on Congress.

In March, 1960, Mitchell sent an open letter to Patterson refuting the Governor's testimony of February 2, 1960 before the Senate Rules Committee. The letter was reported in the daily press, but there was, again, no answer from Patterson.

> . . . You are quoted in the transcript of this hearing as having said that "usually there are only a few people complaining and usually they are already registered. . . ." While you may have received "only a few" complaints from persons "already registered," we know it to be a fact, Mr. Patterson, that you have received 60 petitions during the 60 weeks that you have been in office as Governor, bearing 720 signatures of *unregistered* citizens of Macon County requesting you and your associates to appoint a publicly functioning board of registrars for this county. You have not acknowledged these communications.
>
> In further argument before the Senate Rules Committee in opposition to the establishment of federal registrars, you stated, according to the record, that "the reason why we do not have it (boards of registrars for Macon and Dallas Counties) is because we are finding it difficult to get men and women who want to serve on these boards." Now, Mr. Patterson, to our knowledge, you have received communications from at least 15 civicly interested citizens indicating their interest in, and availability for serving as members of the Macon County Board of Registrars. In addition, you have received many offers to assist you in locating citizens who would perform this civic duty. Letters from these citizens have also gone unanswered or even acknowledged. . . .
>
> Governor Patterson, we have been taught to expect a more accurate presentation of the facts from our public officials. To this end, we offer to assist you and other interested public servants in getting the facts pertaining to the activity, inactivity, record and public behavior of the Macon County Boards of Registrars over the past 20 years.

Copies of the letter were sent to several United States Senators. Mitchell also had photostatic copies made of some letters and petitions to the Governor and sent them to several members of the United States Senate and the House of Representatives.

A NEW LAW, A NEW BOARD AND "14,000 . . . READY TO REGISTER . . ."

May 6, 1960 was an interesting day for those concerned with voter registration in Macon County. The new Civil Rights Act of 1960 was signed by President Eisenhower on that day. Attorney General William P. Rogers was reported to have said he hoped responsible state officials would act voluntarily to eliminate discrimination at the polls, but if they did not, the Justice Department would investigate complaints promptly and "proceed vigorously." The new law stated that there must be a "pattern or practice" of racial discrimination, and it provided for a court-appointed, local qualified voter (referee) to take testimony of registration denials. Several TCA officials looked upon the law as cumbersome, complex, obviously lacking in many respects, and much weaker than H.R. 7957.

On the same day, May 6, 1960, Patterson announced the appointment of two persons to the Macon County Board of Registrars. Although state law provided for three members, the board could proceed to operate with two appointees. The persons named were Wheeler Dyson of Tuskegee, who was designated as chairman, and Wayne Raney of Hardaway. Dyson, the press re-

ported, had refused an appointment in November, 1959. The *Montgomery Advertiser* stated on May 7, 1960:

> . . . with a functioning board of registrars in Macon County, Negroes may be delayed further in their efforts to register.
>
> If there were no board, a federal referee would have grounds to begin an immediate investigation and take steps to set up registration machinery.
>
> However, with a functioning board of registrars in the county, prospective voters would have facilities to seek the voting franchise. And they would have to show that they couldn't secure fair treatment by the state appointed registrars before going into federal court to seek appointment of a federal officer to consider their applications. . . .

On May 13, the *Advertiser* announced that Wayne Raney had declined the appointment and that Patterson had appointed another, Charles Donald Scott, of Tuskegee. Dyson qualified with the probate judge in Tuskegee on May 11. The *Advertiser* reported on May 13:

> Racially troubled Macon County, where no new voter has been able to register for 17 months, expects soon to have a functioning board of registrars.
>
> . . . Raney, in a letter to the governor, declined because "I am too old to be browbeaten by the various governmental agencies as well as private minority pressure groups."
>
> . . . Scott's appointment was the ninth to the embattled Macon County board within a year. Others, like Raney, had said they turned down the job because of pressure from Negroes seeking to register as voters. . . .

A reporter telephoned Mitchell the evening of the signing of the civil rights law and asked if the TCA would use the new law to register Negroes. Mitchell replied: "No, the unregistered Negroes will use the law, not the TCA." The reporter then asked how many Negroes were unregistered in the county, and Mitchell indicated that the number was approximately 14,000. The next day, the news announced that William P. Mitchell stated that 14,000 Negroes were ready to register and to vote in Macon County under the provisions of the new law. Mitchell told the audience at the May 10 mass meeting that this was another example of misleading reporting and a gross misinterpretation of what he had said.

CONCLUSION

No one thought that the petitions and letters to Patterson led to the appointment of a board of registrars for Macon County. It was generally felt that mounting pressure from the Federal government culminating in a law providing for Federal referees was the major factor. Mitchell, however, pointed out that the detailed records and the continuous activity of the TCA probably contributed to the recommendations of the Civil Rights Commission which, in turn, "really started the Congress and the country thinking in terms of Federal intervention." There was the general feeling that the utter hopelessness of the

Negroes' condition in such counties as Macon was too much for the national government to continue to ignore. The appointment of a board, however, was viewed by many Negroes, ironically, as another delaying tactic to increased Negro registration as the *Advertiser* had indicated could be the case. Very few, if any, Negroes believed that any board appointed by Patterson would register persons without regard to race or color. Eventually, they believed, the Justice Department would be called upon to guarantee the vote to Negroes in Macon County.

To the extent that this is inevitable, it is, likewise, conceivable that Negro voters will eventually outnumber white voters in the county. What then? Gomillion stated in an interview with the press: "The idea that our people want to take over the government is simply not true. It's just poppycock." Mitchell has made similar statements to the press, to visiting groups and to members of the TCA. For years, when there seemed to be virtually no likelihood of extensive Negro participation in politics, such protestations were probably sincere, because few Negroes could conceive of the impossible. In 1960, however, the impossible had become, to a number of Negroes, the inevitable. One member of the executive cabinet spoke calmly and matter-of-factly about how "the whites are sure to move out when we elect a black sheriff and a black mayor." Several persons in the community looked upon a Negro-controlled county as an inevitable occurrence. They frankly asserted that "we will build a machine, promise to pave streets, pave them and enjoy some of that power the other people have had all the time. Why shouldn't we?"

If they are unsuccessful, it will not be because they did not try. Possibly, new leaders will emerge in this Negro community, more mass oriented than the TCA, less concerned to be "right and sound," and more anxious to be "powerful and victorious." They may, at first, use the race issue, but they will say they are justified in doing so. In the light of past action (and inaction) and attitudes, they will challenge the sincerity of any local white citizen running for public office. The feeling of betrayal will not be easily erased. They do not foresee any major opposition from the top leadership of the TCA, because that leadership has shown no inclination to enlist a mass following so necessary to building a political party organization and to winning elections. The deliberate, "letter-writing" approach of the TCA no longer appeals to many of the more aggressive Negroes. It was "too slow, too gradual, and too polite." The methods of the committee were described by one Negro as "almost apologetic. What was really done for a year and a half? Just letters and petitions."

Other Negroes were disturbed by the obvious political ambitions of some of their fellow black citizens. They saw a black oligarchy being substituted for a white one, and they feared the Negroes would be just as despotic as some of the whites had been. One group of Negroes talked "morality and brotherhood," the other talked "reality and politics." The latter were quick to point out that there will be a major difference from the present white-dominated government: "The whites can vote if they want to; we'll just out-vote them."

This is what the Southern white community fears. It does not believe Gomillion's statement, and it knows that the Negroes will vote in Macon County for Negro candidates. The following editorial appeared in the *Montgomery*

Advertiser for May 17, 1960, entitled: "Macon Government Functions Again":

> In regarding the social and political problems of Macon County, *The Advertiser* never permits itself to be doctrinaire and theoretical. The whites of this splendid old county are, in the words of Grover Cleveland, "confronted with a condition, not a theory." Citizens of Montgomery are remote from Macon and they do not know how they would feel or how they would react if, like Macon, Montgomery's Negro population was more than 80% and led by a concentration of advanced, aggressive college faculty members.
>
> But after a two-year lapse, there is now a functioning board of registrars and citizens, white and colored, can presumably undertake again to qualify to vote. The fact that it was possible to recruit Macon citizens to serve on the board indicates that the whites had come to see that the present suspension of government could not be maintained.
>
> As it was, neither white nor colored could qualify to vote. That meant that a son of Sam Engelhardt turning 21 could not become a voter any more than a Negro doctor at Tuskegee Institute. Such a governmental shutdown obviously was too radical and sacrificial to endure.
>
> Negro voting and Negroes butting their way into white schools where they are not wanted are organically different matters. It's not a federal dispensation, but the *law of Alabama enacted by Alabamians* that qualified Negroes are entitled to vote. Qualified Negroes are entitled legally and morally to vote.
>
> Qualified Negroes are going to vote in Alabama and the south in growing numbers. Some unhappy consequences undoubtedly will attend this condition; they will surely vote in blocs for an indeterminate period, though finally the bloc will fragment like any other group vote.
>
> Counties such as Macon are few. If in time an unbearable domination threatens, it will be up to other counties to make possible the rescue abolition and absorption. (sic) Apparently, in view of the revival of voter registration in Macon, something of the kind represents the thinking of local citizens.

The idea of abolishing Macon County and dividing it among the five adjoining counties to split the Negro vote has been considered by the state Legislature in previous years. A Macon County Abolition Committee was established in 1958 by the Alabama Legislature to investigate the possibility of such action. (The committee made a "wait-and-see" report.) This did not cause the politically ambitious Negroes of the county great concern, although they were not sure of the legalities and the possibilities involved. They looked upon abolition, if it happened, as just another obstacle to overcome, and they had begun to look upon themselves as being fairly adept at overcoming obstacles.

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BIOGRAPHICAL SKETCH

Charles V. Hamilton taught political science at Tuskegee Institute in Tuskegee, Alabama from 1958-1960 and served concurrently as Chairman of the Political Education Committee, Assistant to the Executive Secretary and member of the Voter-Franchise Committee of the Tuskegee Civic Association. He did his undergraduate work at Roosevelt University of Chicago, where he is now a Lecturer in Political Science. After receiving a law degree from Loyola University of Chicago in 1954, he earned an advanced degree in political science at The University of Chicago. His articles on southern politics and constitutional problems have appeared in *Phylon, The Journal of Negro Education,* and *The Southern Patriot.*

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